

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MORRISON ENTERPRISES, LLC,)
and CITY OF HASTINGS, Nebraska,)

Plaintiffs,)

v.)

DRAVO CORPORATION,)

Defendant.)

4:08CV3142

MEMORANDUM AND ORDER

IT IS ORDERED:

The joint stipulation, (filing no. [272](#)), and joint motion of the parties to amend the progression schedule, (filing no. [273](#)), is granted, and the progression order (filing no. [107](#)) is amended as follows:

- 1) Paragraph 2(a) is amended to extend from August 15, 2009 to September 4, 2009, the deadline for completion of the depositions of expert witnesses William Goodfellow, John Barone, Daniel Fisher, Dale Jensen, Steve Larson, and Harvey Cohen on the subject matter of their supplemental expert reports, and Robert Dennis on the subject of each of his expert reports.
- 2) Paragraph 5(a) is amended as follows:
 - a. Dravo's motions in limine challenging the admissibility of expert testimony at trial under Fed. R. Civ. P. 702 shall be due on or before September 11, 2009, except with respect to motions in limine concerning the admissibility of expert testimony from Robert Dennis, Roy Spalding, and Dale Jensen in his capacity as expert witness for the City, which shall be due on or before August 24, 2009.

- b. The plaintiffs' jointly filed motions in limine challenging the admissibility of expert testimony at trial under Fed. R. Civ. P. 702 shall be due on or before September 11, 2009 with respect to motions in limine concerning the admissibility of expert testimony from William Goodfellow, Daniel Fisher and John Barone.
 - c. Morrison's motion in limine challenging the admissibility of expert testimony at trial under Fed. R. Civ. P. 702 shall be due on or before September 11, 2009, with respect to its motion in limine concerning the admissibility of expert testimony from Gerald Hartman.
 - d. The City's motion in limine challenging the admissibility of expert testimony at trial under Fed. R. Civ. P. 702 shall be due on or before August 24, 2009, with respect to its motion in limine concerning the admissibility of expert testimony from Gerald Hartman.
- 3) The deadline for trial exhibits set forth in Paragraph 4 (c) is extended to October 9, 2009.
- 4) Paragraph 4(b) is amended as follows:
- a. Designations of depositions to be used at trial shall be exchanged by the Parties on or before October 9, 2009.
 - b. Parties shall exchange counter-designations by October 16, 2009.
 - c. Objections to any designated deposition testimony shall be filed by October 23, 2009.
 - d. The Parties shall meet and confer regarding the objections to designated testimony on or before October 27, 2009.

August 24, 2009

BY THE COURT:

Richard G. Kopf
United States District Judge